

1 BARRY J. PORTMAN
2 Federal Public Defender
2 JOYCE LEAVITT
3 Assistant Federal Public Defender
3 555 12th Street, Suite 650
4 Oakland, CA 94607-3627
4 (510) 637-3500

5 Counsel for Defendant SARZA-GOMEZ

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9 IN THE UNITED STATES DISTRICT COURT

10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,)
12) No. CR 08-00173 DLJ
13 Plaintiff,)
14) STIPULATION AND ORDER
15) CONTINUING CHANGE OF PLEA
16) DATE AND EXCLUSION OF TIME
17 JUAN SARZA-GOMEZ,)
18)
19 Defendant.)

20 IT IS HEREBY STIPULATED, by and between the parties to this action, that the change of
21 plea date in this case, currently scheduled for Friday, May 23, 2008, before Honorable D. Lowell
22 Jensen, may be continued to Friday, June 6, 2008, at 9:00 a.m. for change of plea and sentencing.
23 The parties have reached an agreement, however defense counsel needs additional time to meet with
24 Mr. Sarza-Gomez, with the assistance of an interpreter, and review the plea agreement. Should the
25 Court continue the matter to June 6, 2008, it will provide enough time for counsel to meet with her
26 client and review the agreement. The parties stipulate that the time from May 23, 2008, to June 6,
2008, should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§

1 3161(h)(8)(A) and (B)(iv) for continuity of counsel and adequate preparation of counsel.

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3 DATED: May 22, 2008

/S/

4 JOYCE LEAVITT
5 Assistant Federal Public Defender

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7 DATED: May 22, 2008

/S/

8 DANIEL KALEBA
9 Assistant United States Attorney

10 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
11 conformed signature “/S/” within this e-filed document.

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ORDER

14 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that the change of plea date in this
15 case, currently scheduled for Friday, May 23, 2008, before Honorable D. Lowell Jensen, may be
16 continued to Friday, June 6, 2008, at 9:00 a.m. for change of plea and sentencing.

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18 IT IS FURTHER ORDERED that the time from May 23, 2008 to June 6, 2008, should be
19 excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(8)(A) and
20 (B)(iv) for adequate preparation of counsel. The Court finds that the ends of justice served by the
21 granting of the continuance outweigh the best interests of the public and the defendant in a speedy
22 and public trial and the failure to grant the requested continuance would unreasonably deny counsel
23 the reasonable time necessary for effective preparation, taking into account due diligence.

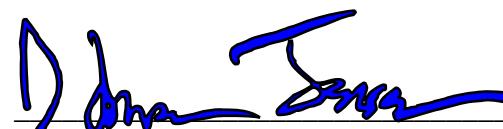
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1 SO ORDERED.

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3 DATED: May 22, 2008


4 HONORABLE D. LOWELL JENSEN
5 United States District Judge

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